



## Co-option Policy

### 1. Purpose

The purpose of this Co-option Policy is to outline the process by which Witney Town Council may fill casual vacancies on the council through co-option.

This policy aims to ensure a fair, transparent, and consistent approach to selecting individuals to serve on the council. The co-option procedure is entirely managed by Witney Town Council and this policy will ensure that a fair and equitable process is conducted.

### 2. Scope

This policy applies to all casual vacancies that arise on Witney Town Council due to:

- Insufficient candidates to fill all the available seats at an ordinary election or;
- When one of the following occurs;
  - A Councillor fails to make their declaration of acceptance of office at the proper time
  - A Councillor resigns
  - A Councillor dies
  - A Councillor becomes disqualified;
  - A Councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body and,

The vacancy has been duly advertised by West Oxfordshire District Council but there is no call for a by-election within the statutory time scale of the vacancy notice being posted by the relevant electors.

Should casual vacancies occur within six (6) months of the next regular election of the Council then no by-election can take place. The Council may co-opt new members if it so wishes.

### 3. Co-option Process

#### 3.1. Eligibility Criteria

The Council will identify any shortfalls and imbalances in its membership. These might be based on gender, age geographical coverage within the parish, or other characteristics.

The Council will agree on a role description and person specification which maybe sensible to target specific characteristics, skills or groups. It will also highlight the skills needed to be a good councillor. The most important attribute is to care about the community and be willing to take an active role.

To be eligible for co-option, candidates must meet the following criteria:

- Be at least 18 years old.
- Be a British subject, or a citizen of the Irish Republic, a commonwealth country, a UK dependent territory or another country in the European community.
- Be an elector for Witney, or have either owned property, lived or worked in Witney throughout the 12 months immediately before they are nominated. (Individuals may be eligible if they have lived, worked or owned land within 3 miles of the boundary of Witney)
- Not be disqualified from serving as a councillor under any relevant legislation.

There are certain disqualifications for being a parish or town councillor, of which the main are (see s80 of the Local Government Act 1972):

- Holding a paid office or employment under Witney Town Council,
- Bankruptcy,
- Having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the preceding five years,
- Are subject to the notification requirements of Part 2 of the Sexual Offences Act 2003,
- Being disqualified under any enactment relating to corrupt or illegal electoral practices,
- Having been convicted of an intimidatory criminal offence motivated by hostility towards a candidate, future candidate or campaigner or holder of a relevant elective office.

### **3.2. Advertisement of Vacancies**

When a vacancy arises, on receipt of written confirmation from the Electoral Services Office that no by-election has been claimed, Witney Town Council will agree the casual vacancy can be filled by means of co-option and;

- Advise West Oxfordshire District Council that its co-option policy has been instigated,
- Advertise the vacancy on its official website and through local communication channels (e.g., newsletters, noticeboard, social media),
- Provide information on how to apply for co-option, including eligibility criteria and the deadline for applications (usually four weeks).

### **3.3. Application Process**

Interested candidates must submit the following to the council by the specified deadline:

- A completed application form, which includes personal details, reasons for seeking co-option, and any relevant experience.
- A declaration of eligibility, confirming that they meet the criteria outlined in section 3.1.

### **3.4. Selection Process**

Applications submitted by the deadline will be considered and the Council will make a decision on co-option in a public Full Council meeting, with candidates invited to attend and speak under public participation. The agenda item shall be, 'To receive written applications for the office of Town Councillor and to Co-opt a candidate to fill the existing vacancy'.

A vote (if more candidates than positions) will be conducted to determine the successful candidate (if any) by show of hands and by a clear majority.

The Town Council is not obliged to select anyone from the candidates who apply in the co-option process; if the process is unsuccessful (whether through lack of or no suitable candidates which achieve a majority vote) then the vacancy will be readvertised.

Councillors are bound to declare a prejudicial interest if they or a member of their family or close associate are related to or have a close relationship to an individual candidate and would need to request a dispensation in order to speak or vote. If a Councillor is uncertain of whether an interest is declarable, they can seek the advice of the Town Clerk ahead of the meeting. If a dispensation is requested and not granted, the Councillor will have to withdraw from the meeting for the co-option item of the agenda.

The Town Clerk will notify West Oxfordshire District Council Electoral Services Office of the co-option of the new Town Councillor.

## **4. Terms of Office**

Co-opted members will serve until the next scheduled election, at which point they may stand for election if they wish.

## **5. Code of Conduct**

All co-opted members are expected to adhere to the council's Code of Conduct and to act in the best interests of the community at all times including:

- Signing a declaration of acceptance of office,

- Within 28 days, completing a declaration of interests form which must be sent to and published by the Town Clerk and the West Oxfordshire District Council Monitoring Officer.

## **6. Induction & Training**

The new Councillor will receive an induction to Witney Town Council by officers and will be made aware of any external training as part of the Council's continuing commitment to professional development.

## **7. Review of Policy**

This policy will be reviewed bi-annually to ensure its effectiveness and relevance. Any amendments, due to legislation or Council arrangements will be communicated to all councillors and made available on the council's website.

**Adopted by:** Policy, Governance & Finance Committee  
**Date:** 25 November 2024  
**Minute Number:** F651  
**Next Review Date:** November 2026